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November 19, 2001

VIA FACSIMILE @ 1-215-814-3005
and Airborne Express

NOV 20 2001

Ms. Carlyn Winter Prisk
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: Lower Darby Creek Area Superfund Site – Clearview Landfill,
Folcroft Landfill, and Folcroft Landfill Annex

Dear Ms. Prisk:

This letter is in response to the U.S. EPA's October 3, 2001, Request for Information addressed to Bridgestone/Firestone, Inc. On October 18, 2001, you kindly granted Bridgestone/Firestone, Inc. an extension of time, to and including November 19, 2001, to respond to the request. A copy of correspondence confirming this extension of time is attached hereto as Exhibit "A".

PRELIMINARY STATEMENT

At the outset, Bridgestone/Firestone, Inc. ("the Company") denies any implication that a waste disposal connection exists between the Company and the subject Site which would trigger any potential liability on the part of the Company under the Comprehensive Environmental Response Compensation & Liability Act (CERCLA).

While the Company has carried out a search for the information requested, it should be noted that it objects generally to the information request because it is overly broad and insufficiently limited in scope as to time and geographic location. It imposes an undue burden upon the Company and, in the absence of any credible evidence establishing a connection between the Company and the Site, it becomes arbitrary and an abuse of discretion. Furthermore, the request is beyond the scope of the Agency's authority pursuant to CERCLA §104(e), 42 U.S.C. §9604(e). Pursuant to an agreement reached between your office and Heidi Hughes Bumpers, counsel for the Company, this response is limited to the Company's former retail facility located at 6250 Baltimore Pike, Yeadon, Pennsylvania 19050.

If the Agency has information which it believes may establish a connection between the Company and the subject Site, the Company requests that such information be supplied. The Company has previously made a formal request for such information pursuant to the Freedom of Information Act. Absent being apprised of such other information, the Company shall assume that the within response fully satisfies the Agency's request for information.

The Company objects to the Agency's description of the purported legal authority for the request and its vague and inaccurate reference to possible penalties for noncompliance. Any information provided by the Company is based upon a reasonable investigation and search of records kept in the ordinary course of business and responses are based upon such reasonable records search and investigation. The penalty provisions alluded to apply only to knowing and willful falsifications or concealment and are not applicable to all circumstances wherein the Agency claims that information is false or fictitious.

In addition, the Company objects to the request to the extent that it purports to impose a continuing obligation upon the Company to submit responsive information which may be discovered at a later time. The Company is unaware of any requirement under CERCLA or otherwise which imposes such an obligation.

The Company also objects to providing home addresses and telephone numbers of its present or former employees on the grounds that the Agency has not demonstrated a need for such information. Further, providing such information would invade the privacy rights of such individuals.

Subject to and without waiver of the foregoing objections and general comments, the Company have made a reasonable and diligent search and inquiry for the requested information and responds as follows:

QUESTIONS:

1. State the name of your company, its mailing address, and telephone number. Further identify:
 - a. The dates and states of incorporation of your company;
 - b. The date and original state of incorporation of your company; and
 - c. The parent corporation of your company, if any, and all subsidiaries or other affiliated entities.

ANSWER: a. – b.: Bridgestone/Firestone, Inc. was incorporated on March 4, 1910 in the State of Ohio as the Firestone Tire & Rubber Company. Its principal place of business is 50 Century Blvd., Nashville, TN 37214. On August 1, 1989, the Firestone Tire & Rubber Company changed its name to Bridgestone/Firestone, Inc.

c. The Company objects to this request on the grounds that the Agency has not demonstrated a need for this information. Subject to and without waiver of this objection, Bridgestone/Firestone, Inc. is a wholly owned subsidiary of Bridgestone Corporation.

2. What is the current nature of the business or activity conducted at your establishment(s) in the Philadelphia, Pennsylvania area? What was the name of your business or activity between 1958 and 1976? Please describe in detail. If the nature of your business or activity changed from the period of 1958 to 1976 to the present, please provide a detailed explanation of the changes to date.

ANSWER: The facility which is the subject of this request was formerly a Company operated Commercial Tire Center store which was engaged in the retail sale, installation, and repair of truck and commercial tires. The facility also may have performed truck and automotive mechanical work, including tune-ups, oil changes, and general maintenance services.

3. Identify all persons currently or formerly employed by your establishment(s) who have or may have personal knowledge of your operations and waste disposal practices between 1958 and 1976 at your facilities in the Philadelphia, Pennsylvania area. For each such person, state that person's employer, job title, dates of employment, current address, and telephone number. If the current telephone number or address is not available, provide the last known telephone number or last known address of such person.

ANSWER: Following a reasonable and diligent search and inquiry, the Company has not identified any documents or information from its own files to date which refers or relates to the Site or which tends to indicate that the Company arranged for the disposal of hazardous substances at the Site. To the extent that this request purports to seek information not related to the subject Site, the Company objects to the request as being overly broad, unduly burdensome, irrelevant, arbitrary, capricious, oppressive, and calculated to cause harassment. The Company further objects on the grounds that, to the extent the request seeks information regarding the Company's operations and waste disposal practices generally, the request is beyond the scope of the Agency's authority pursuant to CERCLA §104(e), 42 U.S.C. §9604(e), which authorizes requests for information pertaining solely to:

- (A) the identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility;
- (B) the nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility;
- (C) information relating to the ability of a person to pay for or perform a cleanup.

Subject to and without waiver of these objections, due to the remoteness of the time period in question, and the fact that the subject store has been closed for over ten years, the Company currently is unable to identify any individual(s) with information responsive to this request as it pertains to the subject store.

- 4. Identify the owners and operators of your establishment(s) in the Philadelphia, Pennsylvania area from 1958 to the present. For each owner and operator further provide:
 - a. The dates of their operation;
 - b. The nature of their operation; and
 - c. All information or documents relating to the handling and/or generation, storage, treatment, recycling, formulation, disposal, or transportation of any hazardous substance, hazardous waste, pollutant, contaminant, or other waste during the period in which they were operating the establishment(s).

- ANSWER:
- a. The subject facility was operated by the Company from approximately October 1, 1971, to September 30, 1991, when the facility was closed and the lease was terminated. The Company leased the property from Mursam Corporation, 6201 Baltimore Ave., Yeadon, Pennsylvania 19050.
 - b. As stated above, during the Company's period of operation of the subject facility it was engaged in the retail sale, installation, and repair of truck and commercial tires. The facility also may have performed truck and automotive mechanical work, including tune-ups, oil changes, and general maintenance services.
 - c. As stated above, following a reasonable and diligent search and inquiry, the Company has not identified any documents or information from its own files to date which refers or relates to the Site or which tends to indicate that the Company arranged for the disposal of hazardous substances at the Site. To the extent that this request purports to seek information not related to the subject Site, the Company objects to the

request as being overly broad, unduly burdensome, irrelevant, arbitrary, capricious, oppressive, and calculated to cause harassment. The Company further objects on the grounds that, to the extent the request seeks information regarding the Company's operations generally, the request is beyond the scope of the Agency's authority pursuant to CERCLA §104(e), 42 U.S.C. §9604(e).

5. Describe the types of documents generated or maintained by your establishment(s) in the Philadelphia, Pennsylvania area concerning the handling and/or generation, storage, treatment, transportation, recycling, formulation, or disposal of any hazardous substance, hazardous waste, pollutant, contaminant or other waste between 1958 and 1976.
 - a. Provide a description of the information included in each type of document and identify the person who was/is the custodian of the documents;
 - b. Describe any permits or permit applications and any correspondence between your company and/or establishment(s), and any regulatory agencies regarding the transportation and disposal of such wastes; and
 - c. Describe any contracts or correspondence between your company and/or establishment(s) and any other company or entity regarding the transportation and disposal of such wastes.

ANSWER: As stated above, following a reasonable and diligent search and inquiry, the Company has not identified any documents or information from its own files to date which refers or relates to the Site or which tends to indicate that the Company arranged for the disposal of hazardous substances at the Site. To the extent that this request purports to seek information not related to the subject Site, the Company objects to the request as being overly broad, unduly burdensome, irrelevant, arbitrary, capricious, oppressive, and calculated to cause harassment. The Company further objects on the grounds that, to the extent the request seeks information regarding the Company's operations and waste disposal practices generally, the request is beyond the scope of the Agency's authority pursuant to CERCLA §104(e), 42 U.S.C. §9604(e), which authorizes requests for information pertaining solely to:

- (A) the identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility;
- (B) the nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility;
- (C) information relating to the ability of a person to pay for or perform a cleanup.

6. Identify every hazardous substance used, generated, purchased, stored, or otherwise handled at your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. Provide chemical analyses and Material Safety Data Sheets ("MSDS"). With respect to each such hazardous substance, further identify;
 - a. The process(es) in which each hazardous substance was used, generated, purchased, stored, or otherwise handled;
 - b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such hazardous substance;
 - c. The annual quantity of each such hazardous substance used, generated, purchased, stored, or otherwise handled;
 - d. The beginning and ending dates of the period(s) during which such hazardous substance was used, generated, purchased, stored, or otherwise handled;
 - e. The types and sizes of containers in which these substances were transported and stored; and
 - f. The persons or companies that supplied each such hazardous substance to your company.

ANSWER: As stated above, following a reasonable and diligent search and inquiry, the Company has not identified any documents or information from its own files to date which refers or relates to the Site or which tends to indicate that the Company arranged for the disposal of hazardous substances at the Site. To the extent that this request purports to seek information not related to the subject Site, the Company objects to the request as being overly broad, unduly burdensome, irrelevant, arbitrary, capricious, oppressive, and calculated to cause harassment. The Company further objects on the grounds that, to the extent the request seeks information regarding the Company's operations and waste handling practices generally, the request is beyond the scope of the Agency's authority pursuant to CERCLA §104(e), 42 U.S.C. §9604(e), which authorizes requests for information pertaining solely to:

- (A) the identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility;
- (B) the nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility;

- (C) information relating to the ability of a person to pay for or perform a cleanup.
7. Identify all by-products and wastes generated, stored, transported, treated, disposed of, released, or otherwise handled by your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. With respect to each such by-product and waste identified, further provide:
- a. The process(es) in which each such by-product and waste was generated, stored, transported, treated, disposed of, released, or otherwise handled;
 - b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such by-product or waste;
 - c. The annual quantities of each such by-product and waste generated, stored, transported, treated, disposed of, released, or otherwise handled;
 - d. The types, sizes, and numbers of containers used to treat, store, or dispose of each such by-product or waste; and
 - e. The name of the individual(s) and/or company(ies) that disposed of or treated each such by-product or waste; and
 - f. The location and method of treatment and/or disposal of each such by-product or waste.

ANSWER: As stated above, following a reasonable and diligent search and inquiry, the Company has not identified any documents or information from its own files to date which refers or relates to the Site or which tends to indicate that the Company arranged for the disposal of hazardous substances at the Site. To the extent that this request purports to seek information not related to the subject Site, the Company objects to the request as being overly broad, unduly burdensome, irrelevant, arbitrary, capricious, oppressive, and calculated to cause harassment. The Company further objects on the grounds that, to the extent the request seeks information regarding the Company's operations and waste disposal practices generally, the request is beyond the scope of the Agency's authority pursuant to CERCLA §104(e), 42 U.S.C. §9604(e), which authorizes requests for information pertaining solely to:

- (A) the identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility;

- (B) the nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility;
 - (C) information relating to the ability of a person to pay for or perform a cleanup.
- 8. Did your company ever contract with, or make arrangements with Clearview, Folcroft, Folcroft Annex, Eastern Industrial, Tri-County Hauling, S. Buckley Trash Hauling, Barratt Rupurt, McCloskey Engineering, ABM Disposal Services, Marvin Jonas, Jonas Waste Removal, Paolino Company, Schinvo Bros., Inc. and/or any other company or municipality to remove or transport material from your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976 for disposal? If so, for each transaction identified above, please identify:
 - a. The person with whom you made such a contract or arrangement;
 - b. The date(s) on which or time period during which such material was removed or transported for disposal;
 - c. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);
 - d. The annual quantity (number of loads, gallons, drums) of such material;
 - e. The manner in which such material was containerized for shipment or disposal;
 - f. The location to which such material was transported for disposal;
 - g. The person(s) who selected the location to which such material was transported for disposal;
 - h. The individuals employed with any transporter identified (including truck drivers, dispatchers, managers, etc.) with whom your establishment dealt concerning removal or transportation of such material; and
 - i. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your possession regarding arrangements made to remove or transport such material.

ANSWER: In the absence of evidence to indicate that a waste disposal connection exists between the Company and the Site, which would trigger any potential liability on the part of the Company under CERCLA, the Company objects to this request as being overly broad, unduly burdensome, and an abuse of discretion. To the extent that this request purports to seek information not related to the subject Site, the

Company objects to the request as being overly broad, unduly burdensome, irrelevant, arbitrary, capricious, oppressive, and calculated to cause harassment. The Company further objects on the grounds that, to the extent the request seeks information regarding the Company's operations and waste disposal practices generally, the request is beyond the scope of the Agency's authority pursuant to CERCLA §104(e), 42 U.S.C. §9604(e), which authorizes requests for information pertaining solely to:

- (A) the identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility;
- (B) the nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility;
- (C) information relating to the ability of a person to pay for or perform a cleanup.

Subject to and without waiver of the foregoing objections, following a diligent search and inquiry, the Company has not identified any documents or other information from its own files to date which refers or relates to the individuals or entities referred to in this request. Nor has the Company identified any documents or other information from its own files to date which refers or relates to the Site or which tends to indicate that the Company arranged for the disposal of hazardous substances at the Site.

9. Provide the names, titles, areas of responsibility, addresses, and telephone numbers of all person who, between 1958 and 1976, may have:
- a. Disposed of or treated materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site;
 - b. Arranged for the disposal or treatment of materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site, and/or
 - c. Arranged for the transportation of materials to Clearview, Folcroft and Folcroft Annex or other areas of the Site (either directly or through transshipment points) for disposal or treatment.

ANSWER: As stated above, following a reasonable and diligent search and inquiry, the Company has not identified any documents or other information from its own files to date which refers or relates to the Site or which tends to indicate that the Company arranged for the disposal of hazardous substances at the Site. Therefore, the Company has no information responsive to this request.

10. For every instance in which your establishment(s) disposed of or treated material at Clearview, Folcroft and Folcroft Annex or other areas of the Site, or arranged for the disposal or treatment of material at the Site, identify:
- a. The date(s) on which such material was disposed of or treated at the Site;
 - b. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);
 - c. The annual quantity (number of loads, gallons, drums) of such material;
 - d. The specific location on the Site where such material was disposed of or treated; and
 - e. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your company's or establishment's(s') possession regarding arrangements made to dispose of or treat such material at the Site.

ANSWER: As stated above, following a reasonable and diligent search and inquiry, the Company has not identified any documents or other information from its own files to date which refers or relates to the Site or which tends to indicate that the Company arranged for the disposal of hazardous substances at the Site. Therefore, the Company has no information responsive to this request.

11. Did your establishment(s), or any other company or individual ever spill or cause a release of any chemicals, hazardous substances, and/or hazardous waste, and/or non-hazardous solid waste on any portion of Clearview, Folcroft and Folcroft Annex or any other portion of the Site? If so, identify the following:
- a. The date(s) the spill(s)/release(s) occurred;
 - b. The composition (i.e., chemical analysis) of the materials which were spilled/released;
 - c. The response made by you or on your behalf with respect to the spill(s)/release(s); and
 - d. The packaging, transportation, and final disposition of the materials which were spilled/released.

ANSWER: As stated above, following a reasonable and diligent search and inquiry, the Company has not identified any documents or other information from its own files to date which refers or relates to the Site or which tends to indicate that the Company arranged for the disposal of hazardous substances at the Site. Nor does

the Company have any information to suggest that it ever caused a spill or release of hazardous substances at the Site.

12. Please identify individuals employed by your establishment(s) who were responsible for arranging for the removal and disposal of wastes, and individuals who were responsible for payments, payment approvals, and record keeping concerning such waste removal transactions at your Philadelphia, Pennsylvania area establishment(s) between 1958 and 1976. Provide current or last known addresses and telephone numbers where they may be reached. If these individuals are the same persons identified by your answer to question 3, so indicate.

ANSWER: As stated above, following a reasonable and diligent search and inquiry, the Company has not identified any documents or information from its own files to date which refers or relates to the Site or which tends to indicate that the Company arranged for the disposal of hazardous substances at the Site. To the extent that this request purports to seek information not related to the subject Site, the Company objects to the request as being overly broad, unduly burdensome, irrelevant, arbitrary, capricious, oppressive, and calculated to cause harassment. The Company further objects on the grounds that, to the extent the request seeks information regarding the Company's operations generally, the request is beyond the scope of the Agency's authority pursuant to CERCLA §104(e), 42 U.S.C. §9604(e), which authorizes requests for information pertaining solely to:

- (A) the identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility;
- (B) the nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility;
- (C) information relating to the ability of a person to pay for or perform a cleanup.

Subject to and without waiver of these objections, due to the remoteness of the time period in question, and the fact that the subject store has been closed for over ten years, the Company is currently unable to identify the person(s) responsible for these activities at the subject store.

13. Did you or any person or entity on your behalf ever conduct any environmental assessments or investigations relating to contamination at Clearview, Folcroft and Folcroft Annex or any other areas of the Site? If so, please provide all documents pertaining to such assessments or investigations.

ANSWER: As stated above, following a reasonable and diligent search and inquiry, the Company has not identified any documents or other information from its own files to date which refers or relates to the Site or which tends to indicate that the Company arranged for the disposal of hazardous substances at the Site. Further answering, the Company is unaware of any such assessments or investigations.

14. If you have any information about other parties who may have information which may assist the EPA in its investigation of the Site, including Clearview, Folcroft and Folcroft Annex, or who may be responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information. The information you provide in response to this request should include the party's name, address, telephone number, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.

ANSWER: The Company has no information responsive to this request.

15. Representative of your establishment(s):

- a. Identify the person(s) answering these questions on behalf of your establishment(s), including full name, mailing address, business telephone number, and relationship to the company.
- b. Provide the name, title, current address, and telephone number of the individual representing your establishment(s) to whom future correspondence or telephone calls should be directed.

ANSWER:

- a. This is a corporate response signed by counsel on behalf of the Company.
- b. Please direct any future inquiries or correspondence regarding this response to the undersigned. Any other communications regarding the Site should be directed to Heidi Hughes Bumpers, Esq., at Jones, Day, Reavis & Pogue, 51 Louisiana Ave., NW, Washington, DC 20001-2113; telephone 202-879-7616, facsimile 202-626-1700.

16. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
- a. Your document retention policy;
 - b. A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;

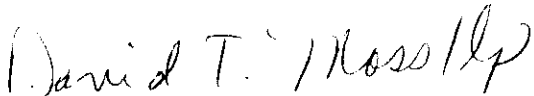
- c. A description of the type of information that would have been contained in the documents; and
- d. The name, job title, and most current address known to you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.

ANSWER: Not applicable.

We trust the foregoing constitutes a sufficient response to the Agency's information request. Please direct any future inquiries or correspondence regarding this response to the undersigned. Any other communications regarding the Site should be directed to Heidi Hughes Bumpers, at Jones, Day, Reavis & Pogue, 51 Louisiana Ave., NW, Washington, DC 20001-2113; telephone 202-879-7616, facsimile 202-626-1700.

Very truly yours,

HANNA, CAMPBELL & POWELL, LLP

A handwritten signature in black ink that reads "David T. Moss" followed by a stylized flourish or initials.

David T. Moss

DTM/lmp

Enclosure

<<HCP 76417v1>>

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October 18, 2001

VIA FACSIMILE 215/814-3005

Ms. Carlyn Prisk
US EPA Region III
Hazardous Waste Cleanup Division
1650 Arch Street
Philadelphia, PA 19103-2029

RE: Lower Darby Creek Area Superfund Site

Dear Ms. Prisk:

This will confirm that you have kindly agreed to an extension of time to and including November 19, 2001 to permit Bridgestone/Firestone, Inc. to respond to the above-captioned Request for Information.

Thank you for your courtesy in granting this extension.

Very truly yours,

HANNA, CAMPBELL & POWELL

Electronically mailed without signature

David T. Moss

<<HCP 75189v1>>

